



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/497,493	02/04/2000	Mark Lucente	10244-004	7556

20582 7590 05/21/2003

PENNIE & EDMONDS LLP  
1667 K STREET NW  
SUITE 1000  
WASHINGTON, DC 20006

EXAMINER
----------

ARMSTRONG, ANGELA A

ART UNIT	PAPER NUMBER
----------	--------------

2654

DATE MAILED: 05/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/497,493

Applicant(s)

LUCENTE ET AL.

Examiner

Angela A. Armstrong

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 February 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-10 and 12-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-10 and 12-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 2-10 and 12-21 are rejected under 35 U.S.C. 102(b) as being anticipated by

Hemphill et al, "Speech Aware Multimedia".

2. As per claims 10 and 20, Hemphill et al. discloses a method comprising;

receiving a first statement in a natural language from a user, (see page 77, left column, last paragraph, "How's the whether look today?")

generating first information based on a first statement, (see page 77, Fig. 3, Table 1, step 1 and right column, 5th full paragraph "... the user utters 'How's the weather look today?");

optionally generating a question to be presented to the user in the natural language based on the context information, (see page 77, Fig. 3, "Speak the city-name ..." and page 76, right column, "SAM . . . could detect the ambiguity and offer a choice to the user . . . ");

receiving a second statement in the natural language from the user, (see page 77, Table 1 step 4 and left column, 1 s" full paragraph, "the user decides to utter "Chicago"");

generating second information based on a second statement and the information, (see page 77, Table 1 step 4 and left column, 1 S" full paragraph, "the user decides to utter "Chicago"; Table step 6).

providing at least one of a superlative and a comparison of the first information based on the context information, wherein the first information include a plurality of items that can be compared with each other, (see page 75, section "speakable links").

As per claim 2, Hemphill et al. disclose a method comprising:  
incorporating content information generated based on the second information into output to a user, (see Table step 6).

As per claim 3, Hemphill et al. disclose a method comprising:  
dynamically generating the web page based on the content information, (see page 77, right column). querying a database using the first query to thereby generate the first information, (see page 77, right column).

As per claims 4-5, Hemphill et al. disclose a method comprising;  
generating grammatical data for the first statement, see page 77, right column, "the browser observes the grammar link and ask the web for the grammar . . . ");  
generating one or more parsing tokens based on the grammatical data, (see page 77, right column, first full paragraph);  
storing the parsing tokens as pant of the context information, (see page 77, right column, first full paragraph).

As per claims 6-8, Hemphill et al. disclose a method comprising:  
Identifying linguistic structures in the second statement based on the context information, (see page 77, table 1, step 5)

As per claim 9, Hemphill et al. disclose a method comprising:

Art Unit: 2654

storing and updating the context information each time a new statement in the natural language is received, (see page 75, section "speakable links").

As per claims 12-21, claims 12-21 are similar in scope and content to claims 2-10 rejected above, and therefore claims 2-10 are rejected under the same rationale, (see page 77, Table 1).

### ***Response to Arguments***

3. Applicant's arguments filed February 27, 2003, have been fully considered but they are not persuasive.

Applicant argues Hemphill recognizes only specific command strings' it does not utilize context to provide superlatives or comparisons. The Examiner disagrees and argues that at page 76, second column, Hemphill teaches the system provides for a wide range of tokens and many possible contexts, such that the system allows ambiguity in tokenization, providing as an example allowing "IRA" to be interpreted as the letters "I-R-A" or as a single token, the proper name Ira, which in order to provide an appropriate response would rely on the context to provide the comparisons of "I-R-A" versus the proper name Ira.

*Conclusion*

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2654

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 703-308-6258. The examiner can normally be reached on Monday-Thursday 7:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

Angela A. Armstrong  
Examiner  
Art Unit 2654

AAA  
May 18, 2003

*Marsha D Banks-Harold*  
MARSHA D. BANKS-HAROLD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600